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PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

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No. 32

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 27, 2007, at 2 p.m.

## Senate

MONDAY, FEBRUARY 26, 2007

The Senate met at 2 p.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who sits on the throne, bless the Members of the United States Senate. Give them wisdom and grace in the exercise of their duties. Help them to possess the faith and courage to seek Your plans. Use them to bring peace where discord reigns and to inspire the other nations of the Earth. Lead them throughout the obstacles of these challenging times to the fulfillment of Your loving providence.

Lord, infuse them with reverential awe for You. Make and keep their inner lives pure and kind and just. May their highest incentive be not to win over one another but to win with one another by doing Your will for all. We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 26, 2007.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Pursuant to the order of the Senate of January 24, 1901, as modified on February 5, 2007, the Senator from Tennessee, Mr. CORKER, having been appointed by the Vice President, shall now read Washington's Farewell Address.

Mr. CORKER. Mr. President, I am thankful for this opportunity. It is quite an honor, something from which many Americans can draw a great deal of wisdom. I will begin this great Farewell Address that has been our custom now for many years.

Mr. CORKER, at the rostrum, read the Farewell Address, as follows:

*To the people of the United States:*

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured, that this resolution has not been taken without strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals, that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently, want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your

union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by

birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess, are the work of joint councils and joint efforts—of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The *North*, in an unrestrained intercourse with the *South*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The *South*, in the same intercourse, benefiting by the same agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *North*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The *East*, in a like intercourse with the *West*, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *West* can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionally greater security from external

danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen, in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to

the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former, for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests. However combinations or associations of the above description may now and

then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men

to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it in the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, forments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution

or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that the public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there

must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation's subservient to projects of hostility, instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former

into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity gilding with the appearances of virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a dif-

ferent course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. (I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy)—I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed, in order to give trade a stable course—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that is must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress, without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think

it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

Mr. CORKER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from South Dakota is recognized.

#### IRAQ

Mr. THUNE. Mr. President, as I listened this last week to media reports about a reported plan by Senate Democrats to deauthorize the Iraq war resolution, my first reaction was that they cannot be serious; they cannot want to have Senators managing the war on terror from the floor of the Senate. We would be telling our commanders and our troops how to do their jobs.

Under the latest Democratic proposal—which, incidentally, is now the fifth resolution that they have brought forward—that was unveiled last week, there would be no combat role for our troops in Iraq. Yet we would still allegedly have some number of troops there for training, support, and logistics.

I think the question you have to ask with a policy such as that is, What if those troops are fired upon? Can they not return fire because the Senate says they are not to have a combat role?

Just when I thought this debate had reached the low point on the depth chart, the Senate Democrats have drained a little more out of the pool. For weeks now, they have been attacking Republicans for blocking a debate on Iraq when nothing could be further from the truth. Republicans welcome a debate about Iraq. The only difference is we believe it should be a full, fair, and open debate. The Democratic leaders tried to prevent that by blocking any Republican amendments. The Democrats want a rigged, one-sided debate that has nothing to do with substance and everything to do with political theater. That is wrong, and it is wrong for a couple of reasons.

Firstly, it is wrong because it undermines the unique role our Founders designed for the Senate, a place where debate is welcome, a place that is deliberative, and a place where the power to amend is recognized. Under the Democrats' rigged approach, only their proposal gets heard. Republicans asked for just one alternative, one amendment, and it was rejected by the Democratic leadership. Now, I would ask, where is the fairness in that? Where is the openness in that?

Secondly, and more importantly, it is wrong because it sends entirely the wrong message to our troops and to our enemies. Our troops need to know that they are supported and that their mission is supported. Our enemies need to know we are serious about winning. The action taken by Senate Democrats on this issue has trivialized this very serious debate, and I believe we owe it to those who have sacrificed so much, and to their families, to give this new strategy a chance to succeed.

I visited a number of soldiers last week at Walter Reed Hospital. I think that is my fourth trip up there. I have also had the opportunity to visit with soldiers injured on the battlefield at the hospital in Landstuhl, Germany, at Ramstein Air Force Base. These are men who have lost limbs due to IEDs and EFPs. They are an amazing group of people, an amazing inspiration, and they want to know their sacrifice has not been in vain.

This strategy which has been proposed is a change. It originated with our commanders, and it is supported by our commanders. It calls for several things. It calls for some additional troop strength in the region, primarily in Baghdad and also some out in Anbar Province. It calls for different rules of engagement in that fight, and it calls for more Iraqi involvement in several different ways:

Militarily. It gets the Iraqis more into the fight. They take the lead, and the United States takes more of a support role.

Economically. There are requirements that the Iraqi Government invest in infrastructure in their country and that they come up with a way of dividing the oil revenues so that all the different locations in the country can benefit from this great resource they have available to them.

It puts in place political benchmarks as well. They need to hold provincial elections.

All these things—military, economic, and political benchmarks—are things the Iraqis have to meet. I believe we will know in a matter of months whether this new strategy is working. I want it to work. I want to see our troops succeed, and so do most Americans.

A nonbinding resolution signaling a lack of support was bad enough, but now the Democrats in Congress have taken what in my view is a far more dangerous turn. They have embarked on a course which is binding, which has the force of law, and which would have Congress managing a war. That is a very frightening prospect, but that is exactly what this latest Democratic proposal would do.

In fact, listen to what was said yesterday by the chairman of the Armed Services Committee. He was asked on "Meet the Press" by Tim Russert about how many troops would be left behind under their proposal, and he said a limited number. Mr. Russert said: 10,000, 20,000? The distinguished Senator, chairman of the Armed Services Committee, said:

I don't want to put a specific number on it because that really should be left to the commanders, who decide how many would be needed to carry out those limited functions.

I am glad there is going to be some role for General Petraeus. I am glad he will be deciding some things in the theater over there.

When the question was asked later on by Mr. Russert: Aren't you tying the hands of the Commander in Chief, the chairman of the Armed Services Committee, Senator LEVIN, said:

Well, we hope to put a cap on the number of troops. If I had my way, I would cap them. Of course, if I had my way, we would never have gone there to begin with. But of course we are trying to tie the hands of the President and his policy.

I want my colleagues to listen to the proposal that has been offered in the House of Representatives and just recently, this last week, was discussed and debated over there. Essentially, what that plan would entail is that the Congress would decide the particulars when it comes to which troops can go on combat tours and which ones can be extended beyond the year. To be sent into battle, troops would have to have a year's rest between combat tours, and soldiers in Iraq could not have their tours extended beyond a year. The Pentagon's stop-loss policy, which prevents some officers from leaving the military when their service obligations are up, would end.

These are very troubling developments and proposals, particularly when they are considered in light of what the constitutional role of the Congress is when it comes to these types of matters. Congress does not have the expertise or the constitutional authority to micromanage tactics in a war.

I want to read something for my colleagues from an op-ed in the Wall

Street Journal from a few weeks back. It was written by David Rivkin and Lee Casey, and it says this:

The Constitution vests Congress with formidable authority to affect how the President fights wars. Congress has the power to declare war, formally rupturing international legal relations between the U.S. and a belligerent enemy nation, and to prescribe rules governing military discipline and regulating the capture of military property. If it determines to withhold funding for an ongoing conflict, it can compel the President to withdraw U.S. forces. What Congress cannot do, however, is direct how a President prosecutes a particular war, including decisions about how many of the available forces to introduce into a theatre of conflict.

Would someone on the other side of the aisle please step forward and remind me that there is logic and common sense and that liberal interest groups have not taken over our colleagues on the Democratic side. These actions are stunningly transparent, designed to embarrass the President and to woo liberal interest groups. Let us not go down that road. Our troops and their families and the American people deserve better.

There are a number of Members of the Senate who have served their country and who are veterans. I have the highest respect for the distinguished Presiding Officer, who is among those who have seen combat and understands what it entails and the chain of command. I can't imagine any Member of the Senate who has been involved in combat who would condone having politicians here in Washington, DC, Members of the Senate, no matter how well intended, directing and managing military conflict and getting in the way of our commanders and our troops and their ability to conduct and perform their mission and to do their job.

I think it terribly unfortunate what has happened here in the Senate. I do believe it has trivialized what should be a very serious debate. I have maintained all along that this is a debate we ought to have because this is the dominant issue of our time about which people across this country have incredibly strong feelings. Irrespective of how we got there and what one thinks about that, it is important now that we evaluate seriously, that we examine, and that we analyze how best to proceed and move forward.

There is a plan. It is being implemented. I want to see it succeed. I hope and pray, for the sake of our troops in the theater, that it does succeed. What we cannot afford to have happen in this Congress is to go down this path where one side is trying to one-up the other side and frame the debate, to define the terms of the debate in a way that is politically advantageous to them. That is wrong.

That is why I am here today, to say we ought to have a debate. It ought to be a full, fair, and open debate, in keeping with the tradition and the history of the Senate and in keeping with the commitment we have made to the men and women we have put in harm's way

and who wear the uniform of the United States of America. They deserve to have our support not only of them but of the mission they are undertaking. They need to know that we believe they can succeed, that we believe they can win, that we believe they can achieve victory. If we fail in that important mission, future generations are going to pay a dear price. The global war on terror is not going away. It is important that here in the Senate we dignify the great service of those great Americans by having a dignified debate that is full, that is fair, that is open, and that is not intent on micromanaging and directing the affairs of our military leadership and telling our commanders what they can and cannot do when it comes to winning this very important war.

Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF CARL ARTMAN

Mr. DORGAN. Mr. President, as of this month, it has been 2 full years that the position of Assistant Secretary for Indian Affairs at the Department of the Interior has been vacant—2 full years. There has been a Federal position specifically assigned for the responsibilities for Indian affairs since the year 1806.

In the year 1849, that position was transferred from the Defense Department—or then the Department of War—to the Interior Department. The Assistant Secretary for Indian Affairs and the Department of the Interior is responsible for managing the BIA, the Bureau of Indian Affairs, and all of the programs that are important to the trust responsibilities and the fiduciary obligations the U.S. Government has to tribes. We do indeed have obligations to tribes through treaties and through other approaches, trust responsibilities. This Congress, and previous Congresses, and future Congresses, have obligations to tribal governments that we must meet. Those obligations are important.

As I said, it has been 2 full years since we have had a person in the position of the Assistant Secretary for Indian Affairs in the Interior Department. For 2 years it has been vacant, which is unbelievable to me.

We have a man who has been nominated now named Carl Artman, who is a member of the United Tribe of Wisconsin. Mr. Artman is a very capable, distinguished person. I met with him a couple times. President Bush sent his nomination down to the Congress last year. Apparently, a hold was put on his

nomination and it did not move. The President re-sent the nomination recently. I chaired the hearing, and we moved his nomination out of the Indian Affairs Committee and now it is before the full Senate.

My understanding is it has not moved because there has been a hold put on it once again. I spoke to the Secretary of the Interior today again about that subject, and my hope is—I indicated to him, and I think his hope is—this week we can find a way to resolve these issues and get Mr. Carl Artman confirmed by the Senate for the position of Assistant Secretary for Indian Affairs. It is a very important position.

We have a full-blown crisis in health care, housing, and education on Indian reservations. I have been doing listening sessions with Indian tribes. With respect to education, as an example, they tell about a young schoolkid who is living in a house, a 3-bedroom home with 23 people. That describes the housing conditions on some of the reservations.

But what about a young kid who is living in a 3-bedroom home with 23 other people? What kind of homework do you think gets done there? What kind of opportunity is it for that young child to quietly be able to open a book and to learn a lesson?

We have a crisis in housing. I have described it many times on the floor of the Senate. We have a crisis in health care. It is almost unbelievable to me, but we had a hearing recently in which a doctor described a woman who had a very serious knee injury who required surgery. She went to the doctor on the Indian reservation and was told: Wrap it in cabbage leaves for 3 or 4 days. That is right: Wrap it in cabbage leaves for 3 or 4 days. It needed to be operated on. It was a torn ligament. "Wrap it in cabbage leaves"—that is health care? Not where I come from.

Or a man who had a bad arm, a bad shoulder, a torn ligament, and for 4 years he could not get it fixed on the Indian reservation because it was not "life or limb"—4 years. This was a rancher. What do you think a one-armed rancher is able to do on a ranch? Haul hay? I do not think so.

I told the story on the floor about the woman who was having a heart attack—an Indian woman—and was transported by ambulance to a hospital. She was hauled into the hospital on a gurney—having a heart attack—and they discovered there was a piece of paper taped to her thigh. What the paper said was: You should understand, hospital administrators, this person is not covered under the Indian Contract Health Services. We are out of money. So, therefore, if you admit this person, you are on your own.

Imagine that: a woman having a heart attack, brought in on a gurney to a hospital with a piece of paper taped to her thigh that says: Beware. We won't pay for this treatment. That is unbelievable.



We have a lot of problems we need to address in these areas dealing with Indian tribes and the first Americans. I understand the Indian Health Service is attached to Health and Human Services. But I also understand the issues of housing, education, and all of the other related issues belong to the Interior Department. That position in the Interior Department responsible for these issues has been vacant for 2 full years, and I believe it is shameful. I hope this Senate, this week, can resolve this issue and get it done. I am going to push to see if we can't get that confirmation done this week.

(The remarks of Mr. DORGAN pertaining to the introduction of S. 684 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DORGAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE 110TH CONGRESS

Mr. REID. Mr. President, when we began the 110th Congress, I said:

The American people want change, and it is up to us—Democrats and Republicans—to deliver that change.

Two months later, the Senate has delivered. Democrats, Republicans, we have moved America in a new direction. As our first order of business, we changed the way Washington works literally, passing the toughest lobbying and ethics reform legislation in our Nation's history.

Next, we ended the national disgrace of the \$5.15 minimum wage and gave America's poorest workers a raise for the first time in 10 years.

After the minimum wage, we passed an important continuing resolution to keep our Government fully funded and running. This Congress, the 110th Congress, inherited a fiscal mess, but by setting tough spending limits, eliminating earmarks, and working together, we have begun to put our country's fiscal house in order. It was done with the support of the Republicans. We could not have done the continuing resolution as we did; that is, settling the country's financial problems, but for the support of Republicans. We could have done it, but it would have been a real knockdown, drag-out battle. We didn't have to have that. So as I have said a number of times, I commend the Republicans for working with us.

Finally, before recess, we held an important Iraq vote where a bipartisan majority of the U.S. Senate expressed its opposition to the President's plan to escalate the war in Iraq. That de-

bate and that vote were just the start. The Senate, sometime in the future, will continue to work its will on the issue until there is a change of course in Iraq.

In the last election, we promised that the days of the do-nothing Congress were over, and it is a promise we have kept. But I have to say, we were unable to keep it on our own. We needed the support of the Republicans, and we got that.

At this time in the 109th Congress, the Senate had passed one piece of legislation and some nominations. This year, the Senate passed three significant legislative items—ethics, minimum wage, and the continuing resolution—and a number of judges, including a circuit court judge.

On every one of these items, we have had the support of the minority, the Republicans. This year, the Senate has ended 4 years of congressional silence on Iraq. Senate committees have held almost 40 Iraq hearings, where we asked questions and held the administration accountable for its policies. In the last Congress, you could count meaningful Iraq hearings on one hand. In the first 6 weeks of this year, the Senate has had 52 rollcall votes. By comparison, the 109th Congress during the same time period had 11 rollcall votes. It is a good start, but there is so much more to do, which is why this week the Senate will set its sights on extremely important work—keeping our country and our families safe by implementing the recommendations of the 9/11 Commission.

Following the terrible attacks of September 11, 2001, our country turned to a respected group of Democrats and Republicans, the 9/11 Commission, to review the lessons of that tragic day and to find a better way to fight the war on terror. Under difficult circumstances, including a lack of cooperation from the White House, the Commission did a fine job and, in July 2004, made a number of recommendations to Congress and the administration about how best to secure the homeland from al-Qaida and other terrorist groups. Their ideas included improving security at our ports, on our rails, and in cargo holds, giving our first responders the tools they need to communicate with each other during the crisis—something the Presiding Officer has talked about many times in the Senate floor—and streamlining our intelligence community to help it better prevent another attack. These were commonsense solutions designed to keep America safe. Unfortunately, 2½ years later, too many have been ignored and too many of our communities remain dangerously unprepared to prevent or respond to another terrorist attack.

We all feel so fortunate that we have not suffered another terrible incident like that of 9/11. In the last Congress, Democrats tried to move forward with tough and smart solutions to keep the homeland safe. Unfortunately, those of

us who tried to follow the Commission's roadmap hit nothing but speed bumps. In 2005, we tried to increase funding for first responders by \$1.6 billion. Our effort was rejected on a party-line vote. Days later, we tried to restore \$1 billion to the COPS Program, so important for law enforcement throughout the country. We were rejected again along party lines. In July 2005, just days after the subway bombings in London, the Senate considered legislation that would have improved security on rails. Again, with a party-line vote, we went down. That same day, the Senate voted on legislation to allocate money to secure our ports. The measure fell along party lines. The end result of this obstruction: America today is not as safe as it can be, should be, or must be.

For 6 years, this White House and past Congresses have talked a good game about protecting America, but while they were distracted and consumed with staying the course in Iraq, they failed to heed the lessons of September 11, 2001—that we must do more to protect and secure our communities from the real terrorist threat here at home.

The suggestions I have made today are not something I came up with. They are not Democratic proposals but were led by two patriotic Americans, Governor Kean, a Republican Governor of New Jersey, and Congressman Lee Hamilton, Democratic Congressman from Indiana, the leaders of the Commission. Last year, the 9/11 Commission released a report, grading Congress and the President on the job they had done in securing the homeland. It was a report card any child would be embarrassed to take home to their parents. It included 12 Ds, 5 Fs, and two incompletes: requiring proper screening of airline passengers, F; allocating homeland security funds based on risk, F; sharing information with State and locals, a little better but a D.

Turning these and other failing grades into passing grades is what the Senate will focus on on a bipartisan basis this week. We will work together. We will take steps to protect America from the greatest threat we face—nuclear terrorism. We will enhance the security of our transportation system and our ports. We will provide America's first responders with the technology they need to communicate with each other during a crisis. In the process, we will make America more secure. Five and a half years after 9/11, we don't have a day to waste.

I end where I started. We have had a good year. We have done tremendous work, such as our efforts on lobbying reform. We have done good work on the minimum wage. We have done good work on getting the financial house of this country in order. It has been done on a bipartisan basis. I look forward to this next week and the following week to make sure that the 9/11 Commission recommendations are implemented.

When we get to this bill—and I have said this publicly when we were on the



Iraq issue before we left for recess—it is going to be open for amendment. I have said it privately to the distinguished Republican leader. I say it here on the floor. The bill will be open to amendment. We have amendments we think will improve the bill. I know the Republicans think they have amendments that will improve the bill. I look forward to this debate.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Let me just say briefly, in response to my good friend, the majority leader, I appreciate his observations about how he intends to proceed on the 9/11 legislation. We have a number of, certainly, relevant and important amendments to be considered in the context of that debate. As he may have indicated before I came on the floor, we are in the midst of a discussion about how to go forward on that legislation and at what point we can go forward on it. But I am optimistic that we will be able to work that out sometime in the next day or two and get started so that our Members will have an opportunity to lay down their amendments and get started. We will have a good debate on a very important issue confronting the country.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 976. An act to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes.

#### REPORTS OF COMMITTEES

Under the authority of the order of the Senate of February 17, 2007, the following reports of committees were submitted on February 22, 2007:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 4. A bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 683. A bill to amend section 9 of the United States Housing Act of 1937 to ensure that operating and capital assistance is provided for certain previously assisted public housing dwelling units; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DORGAN:

S. 684. A bill to clarify the authority of the Secretary of the Interior with respect to the management of the elk population located in the Theodore Roosevelt National Park; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Mr. GRAHAM):

S. 685. A bill to establish an expedited procedure for congressional consideration of health care reform legislation; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. MENENDEZ, Mr. REED, Mr. BIDEN, Mrs. CLINTON, Mr. WHITEHOUSE, Mr. DODD, and Mr. SPECTER):

S. 686. A bill to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail; to the Committee on Energy and Natural Resources.

#### ADDITIONAL COSPONSORS

S. 2

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 4

At the request of Mrs. CLINTON, her name was added as a cosponsor of S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

S. 21

At the request of Mr. REID, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 22

At the request of Mr. WEBB, the names of the Senator from California (Mrs. BOXER), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 55

At the request of Mr. BAUCUS, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of S. 55, a bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax.

S. 57

At the request of Mr. INOUE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 119

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 119, a bill to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, and for other purposes.

S. 133

At the request of Mr. OBAMA, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 133, a bill to promote the national security and stability of the economy of the United States by reducing the dependence of the United States on oil through the use of alternative fuels and new technology, and for other purposes.

S. 161

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 161, a bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans.

S. 179

At the request of Mr. ENSIGN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 179, a bill to amend title 10, United States Code, to establish the position of Deputy Secretary of Defense for Management, and for other purposes.

S. 185

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Ohio (Mr. BROWN) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 206

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S.

206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 242

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 242, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 254

At the request of Mr. ENZI, the names of the Senator from Wyoming (Mr. THOMAS), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 336

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 336, a bill to require the Secretary of the Army to operate and maintain as a system the Chicago Sanitary and Ship Canal dispersal barriers, and for other purposes.

S. 340

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 340, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 388

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 423, a bill to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 442

At the request of Mr. DURBIN, the names of the Senator from Massachu-

setts (Mr. KENNEDY), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 464

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 464, a bill to amend title XVIII and XIX of the Social Security Act to improve the requirements regarding advance directives in order to ensure that an individual's health care decisions are complied with, and for other purposes.

S. 466

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 466, a bill to amend title XVIII of the Social Security Act to provide for coverage of an end-of-life planning consultation as part of an initial preventive physical examination under the Medicare program.

S. 495

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 495, a bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

S. 496

At the request of Mr. VOINOVICH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 496, a bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.

S. 543

At the request of Mr. NELSON of Nebraska, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 561

At the request of Mr. BUNNING, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 561, a bill to repeal the sunset of the

Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 563

At the request of Ms. COLLINS, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 563, a bill to extend the deadline by which State identification documents shall comply with certain minimum standards and for other purposes.

S. 573

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 576

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 576, a bill to provide for the effective prosecution of terrorists and guarantee due process rights.

S. 577

At the request of Mrs. FEINSTEIN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 577, a bill to amend the Commodity Exchange Act to add a provision relating to reporting and record-keeping for positions involving energy commodities.

S. 579

At the request of Mr. REID, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 588

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 588, a bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents.

S. 644

At the request of Mrs. LINCOLN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of

the reserve components of the Armed Forces, to improve such programs, and for other purposes.

S. 664

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 664, a bill to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005.

S. 682

At the request of Mr. KENNEDY, the names of the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mr. HAGEL), the Senator from Arizona (Mr. MCCAIN), the Senator from Oregon (Mr. SMITH), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Pennsylvania (Mr. CASEY), the Senator from Hawaii (Mr. INOUE) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 682, a bill to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

S. RES. 33

At the request of Mr. LUGAR, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. Res. 33, a resolution expressing the sense of the Senate that the United States should expand its relationship with the Republic of Georgia by commencing negotiations to enter into a free trade agreement.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS—THURSDAY, FEBRUARY 15, 2007

By Mr. PRYOR:

S. 602. A bill to develop the next generation of parental control technology; to the Committee on Commerce, Science, and Transportation.

By Mr. PRYOR:

S. 639. A bill to establish digital and wireless networks to advance online higher education opportunities for minority students; to the Committee on Commerce, Science, and Transportation.

Mr. PRYOR. Mr. President, I rise today to introduce two communications bills.

First, I am introducing the Child Safe Viewing Act, a bill to develop the next generation of parental control technology. Last year, following several hearings and forums on decency, I concluded that the V-Chip is not an adequate solution for parents to prevent their children from viewing adult content, especially in a world of 500 channels and video streaming.

During the 1996 Telecommunications Act debate, President Clinton urged inclusion of a mandatory V-Chip device, and in collaboration with Congress, the FCC, and the entertainment industry, the V-Chip was born. The V-Chip was

an important beginning to control child access to adult material. Over a decade has passed since the 1996 Act, and the world of communications has changed. However, the issues that inspired the V-Chip continue to exist today for not only television but for the Internet and other video streaming devices.

The Child Safe Viewing Act is a pragmatic approach to addressing the pitfalls of video content not intended for kids, and it acts on current law. It simply directs the Federal Communications Commission to begin a proceeding on the requirements in Section 551 of the V-Chip law. Section 551 states that the Commission shall take action on alternative blocking technology as it is developed. This mandate is clear and the time has come. We must engage in this issue now to ensure that families have the tools to keep inappropriate and sometimes dangerous material out of their children's view.

I am also introducing ED 1.0, a bill to advance online higher education opportunities for minorities. Last Congress, Senator ALLEN and I introduced a bill that would establish a digital and wireless network technology program for minority-serving institutions, and it was reported favorably by the Commerce Committee. Regrettably, I am concerned that the cost of the bill will prohibit it from moving in this Congress. But the needs of this Nation's minorities are not standing still.

ED 1.0 would allow some of our goals to move forward now by creating a pilot online degree program at four minority-serving institutions. African-American, Hispanic, and Tribal serving colleges and universities in socially and economically disadvantaged areas would be eligible to participate in this program to help define what works in ensuring that minorities are obtaining higher education degrees.

With the high costs of networks and limited availability of resources, the program would provide a national "lessons learned" about how to develop and implement flexible degree programs in fields such as health or education, which are currently underserved in the disadvantaged community. The goals of ED 1.0 will make education a reality for thousands of Americans, and I hope this bill will have the support of my colleagues.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 602

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Safe Viewing Act of 2007".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Video programming has a direct impact on a child's perception of safe and reasonable behavior.

(2) Children imitate actions they witness on video programming, including language, drug use, and sexual conduct.

(3) Studies indicate that the strong appeal of video programming erodes the ability of parents to develop responsible attitudes and behavior in their children.

(4) The average American child watches 4 hours of television each day.

(5) Seventy-five percent of adults surveyed believe that television content marketed toward children should be subject to compulsory principles.

(6) Ninety-nine and nine-tenths percent of all consumer complaints logged by the Federal Communications Commission in the first quarter of 2006 regarding radio and television broadcasting were because of obscenity, indecency, and profanity.

(7) There is a compelling government interest in empowering parents to limit their children's exposure to harmful television content.

(8) Section 1 of the Communications Act of 1934 requires the Federal Communications Commission to promote the safety of life and property through the use of wire and radio communications.

(9) In the Telecommunications Act of 1996, Congress authorized Parental Choice in Television Programming and the V-Chip. Congress further directed action on alternative blocking technology as new video technology advanced.

#### SEC. 3. EVALUATION OF ALTERNATIVE PARENTAL CONTROL TECHNOLOGIES.

(a) RULEMAKING PROCEEDING REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a proceeding to consider measures to encourage or require the use of advanced blocking technologies that are compatible with various communications devices or platforms.

(b) CONTENT OF PROCEEDING.—In conducting the proceeding required under subsection (a), the Federal Communications Commission shall consider advanced blocking technologies that—

(1) may be appropriate across a wide variety of distribution platforms, including wired, wireless, and Internet platforms;

(2) may be appropriate across a wide variety of devices capable of transmitting or receiving video or audio programming, including television sets, DVD players, VCRs, cable set top boxes, satellite receivers, and wireless devices;

(3) can filter language based upon information in closed captioning;

(4) operate independently of ratings pre-assigned by the creator of such video or audio programming; and

(5) may be effective in enhancing the ability of a parent to protect his or her child from indecent or objectionable programming, as determined by such parent.

(c) DEFINITION.—In this section, the term "advanced blocking technologies" means technologies that can improve or enhance the ability of a parent to protect his or her child from any indecent or objectionable video or audio programming, as determined by such parent, that is transmitted through the use of wire, wireless, or radio communication.

S. 639

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "ED 1.0 Act".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Education is a fundamental right for all Americans, regardless of ethnicity, socioeconomic background, or other factors.

(2) Minority-serving institutions historically have an important role in reaching underserved populations.

(3) Minority-serving institutions in economically disadvantaged areas face particular hardships in acquiring funds to sustain and expand their resources.

(4) Low-income areas are technologically underserved.

(5) Congress and the technological community should do all that they can to find new and creative ways to bridge the current technology gap.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the National Telecommunications and Information Administration.

(2) **ELIGIBLE EDUCATIONAL INSTITUTION.**—The term “eligible educational institution” means an institution that is—

(A) a historically Black college or university;

(B) a Hispanic-serving institution as that term is defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

(C) a tribally controlled college or university as that term is defined in section 2(a)(4) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4));

(D) an Alaska Native-serving institution as that term is defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)); or

(E) a Native Hawaiian-serving institution as that term is defined in section 317(b)(4) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(4)).

(3) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “historically Black college or university” means a part B institution as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

### SEC. 4. MINORITY ONLINE DEGREE PILOT PROGRAM.

(a) **PILOT PROGRAM ESTABLISHED.**—

(1) **IN GENERAL.**—There is established within the National Telecommunications and Information Administration a pilot program to develop online educational programs of study within eligible educational institutions under which the Administrator shall award 4 grants to eligible educational institutions to assist the eligible educational institutions in establishing an online curriculum for undergraduate and graduate programs of study.

(2) **GRANT NUMBER, DURATION, AND AMOUNT.**—

(A) **NUMBER.**—The Administrator shall award a total of 4 grants under this section.

(B) **DURATION.**—Each grant under this section shall be awarded for a period of 6 years.

(C) **ANNUAL GRANT PAYMENT AMOUNTS.**—The Administrator shall make grant payments under this section in the amount of—

(i) \$1,000,000 for the first fiscal year of a grant awarded under this section;

(ii) \$600,000 for each of the second through fifth such fiscal years; and

(iii) \$100,000 for the sixth such fiscal year.

(b) **PRIORITY.**—

(1) **IN GENERAL.**—In awarding grants under this section the Administrator shall give priority to an eligible educational institution that, according to the most recent data available (including data available from the Bureau of the Census), serves a county—

(A) in which 50 percent of the residents of the county are members of a racial or ethnic minority;

(B) in which less than 18 percent of the residents of the county have obtained a baccalaureate degree or a higher education;

(C) that has an unemployment rate of 7 percent or greater;

(D) in which 19 percent or more of the residents of the county live in poverty;

(E) that has a negative population growth rate; or

(F) that has a median family income of \$32,000.

(2) **HIGHEST PRIORITY.**—In awarding grants under this section the Administrator shall give the highest priority to an eligible educational institution that meets the greatest number of requirements described in subparagraphs (A) through (F) of paragraph (1).

(c) **USE OF FUNDS.**—

(1) **MANDATORY CURRICULUM REQUIREMENT.**—An eligible educational institution receiving a grant under this section shall use the grant funds to develop a curriculum that—

(A) leads to a baccalaureate or graduate degree;

(B) is focused on the needs and interests of working minority students in disadvantaged areas; and

(C) in the case of an online curriculum, strives to include a mix of—

(i) online lectures, including guest speakers;

(ii) reference material;

(iii) quiz and test preparation; and

(iv) class room participation.

(2) **PERMISSIVE USES.**—An eligible educational institution receiving a grant under this section may use the grant funds—

(A) to assist in establishing the technical capacity of the eligible educational institution to provide online or distance learning; and

(B) to develop curriculum, including pod broadcasts.

(3) **LIMITATION ON USE OF FUNDS.**—Grant funds made available under this section shall not be used—

(A) for any purpose other than a purpose associated with the direct costs incurred by the eligible educational institution in developing the curriculum or services described in paragraph (1) or (2); or

(B) for building expenses, administrative travel budgets, or other expenses that are not directly related to the costs described in subparagraph (A).

(d) **MATCHING NOT REQUIRED.**—The Administrator shall not require an eligible educational institution to provide matching funds for a grant awarded under this section.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than November 1 of each year, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report evaluating the progress, during the preceding fiscal year, of the pilot program assisted under this section.

(2) **CONTENTS.**—Each report under paragraph (1) shall include a description of each of the programs of study developed with the grant funds provided under this section, including—

(A) the date of the grant award;

(B) statistics on the marital status, employment status, and income level of students participating in a program of study assisted under this section; and

(C) the degree objectives of students participating in a program of study assisted under this section.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to carry out this section—

(A) \$4,500,000 for fiscal year 2008;

(B) \$3,000,000 for each of the fiscal years 2009 through 2012; and

(C) \$500,000 for fiscal year 2013.

(2) **AVAILABILITY.**—Funds appropriated under paragraph (1) shall remain available until expended.

(g) **LIMITATION ON USE OF OTHER FUNDS.**—The Administrator shall carry out this section only with amounts appropriated in advance specifically to carry out this section.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN:

S. 684. A bill to clarify the authority of the Secretary of the Interior with respect to the management of the elk population located in the Theodore Roosevelt National Park; to the Committee of Energy and Natural Resources.

Mr. DORGAN. Mr. President, last week I was in my State of North Dakota where we have a wonderful national park. It is named after Teddy Roosevelt. He is the conservation-minded President who established the National Park System. What a remarkable man he was. What a remarkable leader for this country.

We have a national park in the Badlands called the Theodore Roosevelt National Park. I picked up a newspaper to read that there are too many elk in the park, an overpopulation of elk, which is going to be a serious problem for the national park. The Park Service has had some discussion about what they might want to do to thin out or cull the elk herd in the national park. It has grown dramatically. They were talking in the newspaper article I read about considering hiring Federal sharpshooters to kill some elk and then use helicopters to remove their carcasses from the national park, for meat, I guess.

It occurred to me there are times when the Government is completely devoid of common sense. I understand the Park Service says there is a prohibition on hunting in the national parks. On the other hand, it seems to me if you are hiring Federal sharpshooters to kill elk, they are going to be hunting those elk. It would make a lot more sense, to me, for a limited opportunity for qualified hunters to be able to hunt the elk in cooperation with Federal and State authorities. You do not need Federal sharpshooters to be paid. You do not need helicopters to haul the carcasses out of the park. All you need are hunters with a pickup truck or two, and you will be fine.

Today I am introducing a piece of legislation that would allow the Park Service to allow local hunters in my State to work on a cooperative basis with the Federal and State authorities to thin that elk herd. Culling or thinning the elk herd, apparently, is a necessity. It is going to happen. The question is how. Do we spend a lot of money hiring sharpshooters and helicopters or do we do this in a common-sense way and allow hunters to go in, in a coordinated way and a careful way, to thin and cull that elk herd? It seems to me the latter is the better approach.

The Park Service, by the way, at the moment also says my State is short of prairie dogs. Of course, that is not the case. We have far more prairie dogs than we know what to do with. The prairie dogs were born—I should say luckily for them—with a button nose and fur on their tail. Otherwise, they would essentially look like a rat. But we have a lot of prairie dogs.

We are told by Federal authorities we need more prairie dogs, not because they think prairie dogs are cute, but apparently because they want to reintroduce something called the black-footed ferret in my State. The last person to spot a black-footed ferret in my State allegedly spotted a black-footed ferret some 20 years ago and was widely thought, according to local folklore, to have been drinking at the time.

So there apparently are no black-footed ferrets that live in my State. They apparently went to warmer climates in the South some long time ago. Now we are told by Federal authorities we need more prairie dogs as food for black-footed ferrets who are going to be reintroduced to North Dakota.

It is no small wonder, then, I look at some of these Federal agencies and wonder if there is any reservoir of common sense left. That is what persuaded me, last week, as I read the newspaper article about hiring Federal sharpshooters to shoot elk and hiring helicopters to take the deer meat out of our national park—a national park proudly named after one of the great hunters ever to occupy the White House, Teddy Roosevelt—I wondered whether there might be any common sense that might be applied that very simply says if we are going to thin or cull the elk herd in the Teddy Roosevelt National Park, let's do it the way Teddy Roosevelt would have anticipated it be done.

No, I do not suggest opening up all national parks to hunting. I suggest in this limited circumstance that thinning and culling the elk herd in the Theodore Roosevelt National Park can best be done without a massive cost to the taxpayers and with an opportunity for qualified hunters who live in my State.

I recognize that these issues pale in comparison to larger issues like the Iraq war and the health care crisis and fiscal policy that is off track, but it seems to me there are times when we ought to call attention even to comparatively small things that do not seem right.

What I read last week about sharpshooters and helicopters not only reminded me of the lack of common sense with respect to this little issue, but it annoyed me once again with respect to the subject of prairie dogs. I spoke about prairie dogs long ago on this Senate floor when the prairie dogs took over a small picnic area, and the response of the Park Service was to decide to spend a quarter of a million dollars to move the picnic area rather

than hire a couple of 16-year-old kids to tell the prairie dogs they have to be elsewhere.

But having said all that, I am introducing a piece of legislation dealing with the Theodore Roosevelt National Park—a park I am enormously proud of—and an elk herd that needs thinning and an opportunity for qualified North Dakota hunters who will use a substantial amount of common sense to solve a problem that can be solved quickly and easily.

By Mr. FEINGOLD (for himself and Mr. GRAHAM):

S. 685. A bill to establish an expedited procedure for congressional consideration of health care reform legislation; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am pleased to be joined by the Senator from South Carolina, Mr. GRAHAM, in introducing legislation that requires Congress to act on what may be the most pressing domestic policy issue of our time, namely health care reform.

I believe we can find a way to make universal coverage work in this country. Universal coverage doesn't have to be defined by what's in place in other countries or by what's been attempted in the past. What universal coverage does mean is ending a system where more than 46 million Americans are uninsured, and where too many of those who are insured are struggling to pay their premiums, struggling to pay for prescription drugs, and struggling to find long term care.

Over the years I have heard many different proposals for how we should change the health care system in this country. Some propose using tax incentives as a way to expand access to health care. Others think the best approach is to expand public programs. Some feel a national single payer health care system is the only way to go.

I favor an American-style health care reform, where we encourage creative solutions to the health care problems facing our country, without using a one-size-fits-all approach. I believe that States have a better idea about what the health care needs of their residents are, and that they understand what types of reform will work best for their State. So I am in favor of a State-based universal health care system, where States, with the Federal Government's help, come up with a plan to make sure that all of their residents have health care coverage, and I am working with Senator GRAHAM to develop a bipartisan bill that will help States do just that. If we are finally going to fix our broken health care system, we need to be open to good, new ideas.

And this brings us to the legislation Senator GRAHAM and I are introducing today, because, the reason we haven't reformed our health care system isn't because of a lack of good ideas. The problem is that Congress and the White

House refuse to take this issue up. Despite the outcry from businesses, from health care providers, and from the tens of millions who are uninsured or underinsured or struggling to pay their premiums, the Federal Government refuses to address the problem in a comprehensive way.

That is why we are introducing this bill. Our legislation will force Congress to finally address this issue. It requires the Majority and Minority Leaders of the Senate, as well as the Chairs of the Health, Education, Labor, and Pensions Committee and the Finance Committee, to each introduce a health care reform bill in the first 30 days of the session of Congress following enactment of the bill. This bill provides an expedited process for considering reform legislation. Similar procedures are established for House consideration.

I want to emphasize that my bill does not prejudice what particular health care reform measure should be debated. There are many worthy proposals that would qualify for consideration, and this bill does not dictate which proposal, or combination of proposals, should be considered.

But what my bill does do is require Congress to act.

It has been over 10 years since the last serious debate over health care reform was killed by special interests. I am disappointed that Congress still has not acted to reform our health care system, and businesses and workers are crying out as never before for Congress to address the country's health care crisis.

It has been over 10 years since we've had any debate on comprehensive health care reform. We cannot afford any further delay. The cost of inaction is too great. I urge my colleagues to support the Reform Health Care Now Act of 2007.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 685

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Reform health Care Now Act".

#### SEC. 2. SENATE CONSIDERATION OF HEALTH CARE REFORM LEGISLATION.

##### (a) INTRODUCTION.—

(1) IN GENERAL.—Not later than 10 calendar days after the commencement of the session of Congress that follows the date of enactment of this Act, the chair of the Senate Committee on Health, Education, Labor, and Pensions, the Chair of the Senate Committee on Finance, the Majority Leader of the Senate, and the Minority Leader of the Senate shall each introduce a bill to provide a significant increase in access to health care coverage for the people of the United States.

(2) MINORITY PARTY.—These bills may be introduced by request and only 1 qualified bill may be introduced by each individual referred to in paragraph (1) within a Congress. If either committee chair fails to introduce

the bill within the 30-day period, the ranking minority party member of the respective committee may instead introduce a bill that will qualify for the expedited procedure provided in this section.

(3) QUALIFIED BILL.—

(A) IN GENERAL.—In order to qualify as a qualified bill—

(i) the title of the bill shall be “To reform the health care system of the United States and to provide insurance coverage for Americans.”;

(ii) the bill shall reach the goal of providing health care coverage to 95 percent of Americans within 10 years; and

(iii) the bill shall be deficit neutral.

(B) DETERMINATION.—Whether or not a bill meets the criteria in subparagraph (A) shall be determined by the Chair of the Senate Budget Committee, relying on estimates of the Congressional Budget Office, subject to the final approval of the Senate.

(b) REFERRAL.—

(1) COMMITTEE BILLS.—Upon introduction, the bill authored by the Chair of the Senate Committee on Finance shall be referred to that Committee and the bill introduced by the Chair of the Senate Committee on Health, Education, Labor, and Pensions shall be referred to that committee. If either committee has not reported the bill referred to it (or another qualified bill) by the end of a 60-calendar-day period beginning on the date of referral, the committee is, as of that date, automatically discharged from further consideration of the bill, and the bill is placed directly on the chamber's legislative calendar. In calculating the 60-day period, adjournments for more than 3 days are not counted.

(2) LEADER BILLS.—The bills introduced by the Senate Majority Leader and the Senate Minority Leader shall, on introduction, be placed directly on the Senate Calendar of Business.

(c) MOTION TO PROCEED.—

(1) IN GENERAL.—On or after the third day following the committee report or discharge or upon a bill being placed on the calendar under subsection (b)(2), it shall be in order for any Member, after consultation with the Majority Leader, to move to proceed to the consideration of any qualified bill. Notice shall first be given before proceeding. This motion to proceed to the consideration of a bill can be offered by a Member only on the day after the calendar day on which the Member announces the Member's intention to offer it.

(2) CONSIDERATION.—The motion to proceed to a given qualified bill can be made even if a motion to the same effect has previously been rejected. No more than 3 such motions may be made, however, in any 1 congressional session.

(3) PRIVILEGED AND NONDEBATABLE.—The motion to proceed is privileged, and all points of order against the motion to proceed to consideration and its consideration are waived. The motion is not debatable, is not amendable, and is not subject to a motion to postpone.

(4) NO OTHER BUSINESS OR RECONSIDERATION.—The motion is not subject to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or disagreed to is not in order.

(d) CONSIDERATION OF QUALIFIED BILL.—

(1) IN GENERAL.—If the motion to proceed is adopted, the chamber shall immediately proceed to the consideration of a qualified bill without intervening motion, order, or other business, and the bill remains the unfinished business of the Senate until disposed of. A motion to limit debate is in order and is not debatable.

(2) ONLY BUSINESS.—The qualified bill is not subject to a motion to postpone or a mo-

tion to proceed to the consideration of other business before the bill is disposed of.

(3) RELEVANT AMENDMENTS.—Only relevant amendments may be offered to the bill.

**SEC. 3. HOUSE CONSIDERATION OF HEALTH CARE REFORM LEGISLATION.**

(a) INTRODUCTION.—

(1) IN GENERAL.—Not later than 30 calendar days after the commencement of the session of Congress that follows the date of enactment of this Act, the chair of the House Committee on Energy and Commerce, the chair of the House Committee on Ways and Means, the Majority Leader of the House, and the Minority Leader of the House shall each introduce a bill to provide a significant increase in access to health care coverage for the people of the United States.

(2) MINORITY PARTY.—These bills may be introduced by request and only 1 qualified bill may be introduced by each individual referred to in paragraph (1) within a Congress. If either committee chair fails to introduce the bill within the 30-day period, the ranking minority party member of the respective committee may, within the following 30 days, instead introduce a bill that will qualify for the expedited procedure provided in this section.

(3) QUALIFIED BILL.—

(A) IN GENERAL.—To qualify for the expedited procedure under this section as a qualified bill, the bill shall—

(i) reach the goal of providing healthcare coverage to 95 percent of Americans within 10 years; and

(ii) be deficit neutral.

(B) DETERMINATION.—Whether or not a bill meets the criteria in subparagraph (A) shall be determined by the Speaker's ruling on a point of order based on a Congressional Budget Office estimate of the bill.

(b) REFERRAL.—

(1) COMMITTEE BILLS.—Upon introduction, the bill authored by the Chair of the House Committee on Energy and Commerce shall be referred to that committee and the bill introduced by the Chair of the House Committee on Ways and Means shall be referred to that committee. If either committee has not reported the bill referred to it (or another qualified bill) by the end of 60-days of consideration beginning on the date of referral, the committee shall be automatically discharged from further consideration of the bill, and the bill shall be placed directly on the Calendar of the Whole House on the State of the Union. In calculating the 60-day period, adjournments for more than 3 days are not counted.

(2) LEADER BILLS.—The bills introduced by the House Majority Leader and House Minority Leader will, on introduction, be placed directly on the Calendar of the Whole House on the State of the Union.

(c) MOTION TO PROCEED.—

(1) IN GENERAL.—On or after the third day following the committee report or discharge or upon a bill being placed on the calendar under subsection (b)(2), it shall be in order for any Member, after consultation with the Majority Leader, to move to proceed to the consideration of any qualified bill. Notice must first be given before proceeding. This motion to proceed to the consideration of a bill can be offered by a Member only on the day after the calendar day on which the Member announces the Member's intention to offer it.

(2) CONSIDERATION.—The motion to proceed to a given qualified bill can be made even if a motion to the same effect has previously been rejected. No more than 3 such motions may be made, however, in any 1 congressional session.

(3) PRIVILEGED AND NONDEBATABLE.—The motion to proceed is privileged, and all points of order against the motion to proceed

to consideration and its consideration are waived. The motion is not debatable, is not amendable, and is not subject to a motion to postpone.

(4) NO OTHER BUSINESS OR RECONSIDERATION.—The motion is not subject to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or disagreed to is not in order.

(d) CONSIDERATION OF A QUALIFIED BILL.—

(1) IN GENERAL.—If the motion to proceed is adopted, the chamber will immediately proceed to the consideration of a qualified bill without intervening motion, order, or other business, and the bill remains the unfinished business of the House until disposed of.

(2) COMMITTEE OF THE WHOLE.—The bill will be considered in the Committee of the Whole under the 5-minute rule, and the bill shall be considered as read and open for amendment at any time.

(3) LIMIT DEBATE.—A motion to further limit debate is in order and is not debatable.

(4) RELEVANT AMENDMENTS.—Only relevant amendments may be offered to the bill.

By Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. MENENDEZ, Mr. REED, Mr. BIDEN, Mrs. CLINTON, Mr. WHITEHOUSE, Mr. DODD, and Mr. SPECTER):

S. 686. A bill to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail; to the Committee on Energy and Natural Resources.

Mr. LIEBERMAN. Mr. President, 225 years ago, on October 17, 1781, a few thousand American and French soldiers laid siege to Yorktown, forced the surrender of General Cornwallis and his British regulars, and won American independence.

Although we often remember the victory at Yorktown, too often we lose sight of the heroic efforts that made it possible. Too often we forget that this victory was the culmination of a miraculous campaign—when two nations, two armies, and two great men put aside their differences and worked together for a common purpose.

I, along with my colleagues, Senators WARNER, BIDEN, CLINTON, DODD, MENENDEZ, REED, SPECTER, and WHITEHOUSE, am privileged to call for the commemoration of the events leading to our victory at Yorktown and the end of the American Revolution with the designation of the Washington-Rochambeau Revolutionary Route as a National Historic Trail.

The Washington-Rochambeau Revolutionary Route is 600 miles of history, winding from Providence, RI, to Yorktown, VA. In the opinion of my colleagues and me, it is worthy of designation as a National Historic Trail. Let us document the events in the cities and towns all along the road to Yorktown and the birth of this great Nation. Let us celebrate the unprecedented Franco-American alliance and the superhuman efforts of Generals George Washington and Jean Baptiste de Rochambeau to preserve that alliance in the face of seemingly insurmountable odds. Let us create a National Historic Trail along whose



course we can pause and remember these heroes, their travels, and sacrifices—from the journey's beginning when Rochambeau led the French army out of Newport and Providence, RI, into New York where he joined Washington's troops, and through a cross section of colonial America to its culmination at Yorktown.

Each of the nine States on the trail makes its own unique contribution to the tale of the journey. In my own State of Connecticut—the two generals met and through a translator planned their strategy. In Phillipsburg, NY, the French and American armies first joined together and faced off against the British in New York City. Here, Washington and Rochambeau planned their high risk strategy—abandoning established positions in the north and racing hundreds of miles south to surprise and trap an unsuspecting British army. In Chatham, New Jersey, the French made a show of storing supplies and building bread ovens in order to disguise their march towards Cornwallis in Virginia. They moved on through Princeton and Trenton, New Jersey—sites of previous colonial victories against great odds.

The trail goes through Philadelphia, PA—then capital of the colonies. Here Washington and Rochambeau stopped their men outside town, had them clean off the dirt of the trail and marched them through town with drums beating and flags unfurled before the Continental Congress and the people of Philadelphia. The grandeur of their new European ally helped restore the spirit of America during this very uncertain time.

A few days later in Chester, PA, Washington, the normally reserved commander-in-chief, literally danced on the dock when he learned the French fleet had arrived in the Chesapeake and trapped the British at Yorktown. For the first time, it seemed that victory for the colonies was possible. The armies marched on to Wilmington, DE and Elkton, MD, where American troops were finally paid for some of their efforts, using money borrowed by the bankrupt Continental Army from General Rochambeau.

Our Nation's capital region also played its part in this story. Troops camped in Baltimore near the site of today's Camden Yards. Some crossed the Potomac near Georgetown, while others camped in Alexandria, VA. Along the way, General Washington made a triumphal return to Mount Vernon, and hosted a celebration for his French allies. All along the route, towns were touched and thrilled by the passage of the army and events swirling around them.

The armies marched on through Williamsburg, VA until they reached positions outside Yorktown in late September. Washington and Rochambeau and their troops went on to win this battle and the war. Let us take the time to better remember the heroes of our past, those who sacrificed so much

for our freedom today, deserve no less. This bill ensures that this history, in all its rich detail, is not forgotten.

Mr. WARNER. Mr. President, I rise today to join the Senator from Connecticut, Mr. JOE LIEBERMAN, in introducing legislation to designate the historic route undertaken by General George Washington and General Jean-Baptiste de Rochambeau to trap the British army at Yorktown, VA, as a national historic trail.

This proposed national historic trail traces the 600-mile route that French troops under the command of General Jean-Baptiste de Rochambeau took from Newport, RI, to Yorktown, VA, during the Revolutionary War. American troops under the command of General George Washington joined the French force outside of New York City and, later that year, on October 17, the combined armies defeated British General Charles Cornwallis at Yorktown with the help of the French fleet commanded by Admiral Francois de Grasse.

This historic trail would celebrate the Franco-American alliance and the heroic effort undertaken by these two great nations to ensure American independence. Led by their courageous and brilliant leaders, Generals Washington and Rochambeau, these two armies changed the course of history with their victory over the British at Yorktown. This national historic trail would recognize this historic route and educate the public at large about the contributions of these men and their armies.

I urge my colleagues to join me in support of this legislation, and I thank you for this opportunity to speak on behalf of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 28, 2007, at 9:30 a.m., to conduct a markup of the Omnibus Budget for Senate Committees.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224-6352.

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, the Chairman would like to inform the Members that the Committee on Small Business & Entrepreneurship will hold a hearing entitled "The President's Fiscal Year 2008 Budget Request for the Small Business Administration," on Wednesday, February 28, 2007 at 10:00 a.m. in Russell 428A.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session, to the consideration of the nominations on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be laid on the table; that any statements be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

##### IN THE COAST GUARD C-PN

PN106 COAST GUARD nomination of Thomas W. Denucci, which was received by the Senate and appeared in the Congressional Record of January 9, 2007.

PN149 COAST GUARD nomination of Edward J. Mosely, which was received by the Senate and appeared in the Congressional Record of January 11, 2007.

PN150 COAST GUARD nomination of Teresa K. Peace, which was received by the Senate and appeared in the Congressional Record of January 11, 2007.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the following Senator as chairman of the Senate delegation to the NATO Parliamentary Assembly during the 110th Congress: the Honorable JOSEPH R. BIDEN, Jr., of Delaware.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senator as chairman of the Senate delegation to the British-American Interparliamentary Group during the 110th Congress: the Honorable PATRICK J. LEAHY of Vermont.

## MEASURE PLACED ON THE CALENDAR—H.R. 976

Mr. REID. Madam President, I understand that H.R. 976 is at the desk and is due for a second reading.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 976) to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes.



Mr. REID. Madam President, I ask that any further proceedings at this time not proceed. In fact, I object.

The PRESIDING OFFICER. Objection is heard.

The measure will be placed on the calendar.

#### ORDERS FOR TUESDAY, FEBRUARY 27, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, February 27; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then be in a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the first 30 minutes under the control of the Republican leader or his designee and the second 30 minutes under the control of the majority leader or his designees; that at 12:30 p.m. the Senate stand in recess until 2:15 p.m. in order to accommodate a meeting of the respective caucuses; further, that at 2:15 p.m. the Senate resume consideration of the motion to proceed to S. 184 and the time until 2:30 p.m. be equally divided and controlled between the majority and Republican leaders or their designees; that the live quorum required under rule XXII with respect to this cloture motion be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Tomorrow, the Senate will conduct a period of morning business until the time when the Senate recesses for the conference work periods.

Madam President, we had a vote scheduled for 9:30 on cloture of the

Commerce aspect of the homeland security work we are going to be doing in the next couple weeks. Because of various clerical problems and just the way the Senate works, the bulk of the homeland security work we are going to be doing—probably 65 percent of it—deals with the Homeland Security Subcommittee, chaired by Senator LIEBERMAN. The ranking member is Senator COLLINS. About 15 percent of what we are going to be doing deals with Banking and about 20 percent or thereabouts—these are all rough estimates—deals with the Commerce Committee.

We are going to invoke cloture on the Commerce aspect—an effort to move it forward by 1 day—because with the first amendment, after we got on this legislation, we would move to put the homeland security legislation in, which basically has it all in it anyway.

I have spoken at some length with the distinguished Republican leader, and it was felt by both of us it would be better if we could speak to our two caucuses tomorrow during the lunch hour to see how we should proceed tomorrow afternoon. That is why we changed the time for voting from in the morning until 2:30 tomorrow afternoon.

#### ORDER OF PROCEDURE

Madam President, I ask unanimous consent that the cloture vote occur tomorrow at 2:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Tomorrow, the Senate will conduct a period of morning business until the time when the Senate recesses for the conference work periods. I will continue to discuss the schedule with the Republican leader with respect to the 9/11 Commission legislation, as I indicated. So for scheduling purposes, Members should be here at 2:30 for the cloture vote. If we are able to vitiate that vote, Members will be notified in a timely fashion.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate today and if the Republican leader has no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:12 p.m., adjourned until Tuesday, February 27, 2007, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate February 26, 2007:

##### DEPARTMENT OF DEFENSE

S. WARD CASCHELLS, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE WILLIAM WINKENWERDER, JR.

CLAUDE M. KICKLIGHTER, OF GEORGIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE JOSEPH E. SCHMITZ, RESIGNED.

##### DEPARTMENT OF ENERGY

WILLIAM CHARLES OSTENDORFF, OF VIRGINIA, TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE JERALD S. PAUL, RESIGNED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

L.T. GEN. VICTOR E. RENUART, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be brigadier general*

COL. THOMAS J. MASIELLO, 0000

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 26, 2007:

##### IN THE COAST GUARD

COAST GUARD NOMINATION OF THOMAS W. DENUCCI, 0000, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF EDWARD J. MOSELY, 0000, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF TERESA K. PEACE, 0000, TO BE LIEUTENANT.